

SENATE No. 2238

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Brian A. Joyce

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act amending the charter in the town of Stoughton relative to filling vacancies among town meeting representatives.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian A. Joyce	Norfolk, Bristol and Plymouth
William C. Galvin	6th Norfolk
Louis L. Kafka	8th Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act amending the charter in the town of Stoughton relative to filling vacancies among town meeting representatives.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The charter of the town of Stoughton, which is on file in the office of archivist of the
2 commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby
3 amended, in article 7, by striking out section 7-6 and inserting in place thereof the following 2
4 sections:-

5 “Section 7-6.1 Vacancies among Town Meeting Representatives

6 In the event of any vacancy in the full number of elected town meeting representatives
7 from any precinct, the remaining elected representatives of the precinct shall choose from among
8 the registered voters thereof a successor to serve until the next annual election. The town clerk
9 shall call a special meeting of the remaining representatives from such precinct for the purpose
10 of filling such vacancy. He shall mail notice thereof to each representative from the precinct
11 specifying the objective, time and place of such meeting. The meeting shall be held not less
12 than 4 days after mailing of such notice and not less than 14 days before convening of the regular
13 or a special town meeting during which the vacancy is to be filled.

At such meeting, a majority of the remaining representatives shall constitute a quorum. The election to fill such vacancy shall be by ballot and the candidate or candidates receiving the greatest number of votes cast shall be deemed elected and shall be notified by the precinct clerk.

The precinct clerk shall forthwith file with the town clerk a certificate of such election, together with a written acceptance by the representative or representatives elected who shall thereupon be deemed elected and qualified as town meeting representatives, subject to the right of all the town meeting representatives to judge of the election and qualification of the representatives.

Section 7-6.2 Election by Ballot for Town Meeting Representative

The town clerk shall determine the number of full terms and the number of partial terms to be elected to the office of town meeting representative. The ballot shall indicate the total number of town meeting representatives to be elected, the number of full terms to be filled, and the number and term of years of partial terms to be filled, and the candidates shall be listed together on the ballot as required by Section 8-5. The ballot shall also include such directions as shall aid the voter relative to the manner of election provided for in this section. At the close of the election, in descending order, the candidates receiving the highest number of votes shall be elected to the 3-year terms to be filled at the election, the candidates receiving the next highest number of votes shall be elected to the 2- year terms to be filled at the election and after those vacancies are filled, the candidates receiving the next highest number of votes shall be elected to the 1-year terms to be filled at the election.”